

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Daniel Giansante	Team: Squad #5	CCRB Case #: 201706490	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Wednesday, 08/09/2017 7:17 PM	Location of Incident: § 87(2)(b) § 87(2)(b)	Precinct: 81	18 Mo. SOL 2/9/2019	EO SOL 2/9/2019	
Date/Time CV Reported Sat, 08/12/2017 5:01 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Sat, 08/12/2017 5:01 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Witness(es)	Home Address
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Job Bellevue	16310	945501	081 PCT
2. An officer			081 PCT
3. SSA EreK Powers	05297	944907	081 PCT
4. POM Abel Lovera	01160	954081	081 PCT
5. POM Joseph Sferrazza	19468	951237	081 PCT

Officer(s)	Allegation	Investigator Recommendation
A. An officer	Force: An officer used a chokehold against § 87(2)(b)	§ 87(2)(b)
B. An officer	Force: An officer restricted § 87(2)(b) breathing	§ 87(2)(b)
C.SSA EreK Powers	Force: Sergeant EreK Powers used physical force against § 87(2)(b)	§ 87(2)(b)
D.POM Job Bellevue	Force: Police Officer Job Bellevue used physical force against § 87(2)(b)	§ 87(2)(b)
E.POM Joseph Sferrazza	Force: Police Officer Joseph Sferrazza used physical force against § 87(2)(b)	§ 87(2)(b)
F.POM Abel Lovera	Force: Police Officer Abel Lovera used physical force against § 87(2)(b)	§ 87(2)(b)
G. An officer	Force: An officer restricted § 87(2)(b) breathing	§ 87(2)(b)
H.SSA EreK Powers	Abuse: Sergeant EreK Powers entered § 87(2)(b) in Brooklyn.	§ 87(2)(b)
I.SSA EreK Powers	Abuse: Sergeant EreK Powers searched § 87(2)(b) in Brooklyn.	§ 87(2)(b)

Case Summary

On August 12, 2017, § 87(2)(b) filed the following complaint by leaving a message on the CCRB's DiRAD system (BR01). He called the CCRB again on August 14, 2017, and filed the same complaint with an intake investigator (BR02).

On August 9, 2017, at approximately 7:17 p.m., § 87(2)(b) was inside his residence at § 87(2)(b) in Brooklyn. § 87(2)(b) and his friend, § 87(2)(b) had a loud argument, after which § 87(2)(b) walked § 87(2)(b) out of the apartment. At the apartment door, § 87(2)(b) encountered a large number of officers, including Sergeant Ereka Powers, Police Officer Job Bellevue, Police Officer Joseph Sferrazza, and Police Officer Abel Lovera, all of the 81st Precinct. § 87(2)(b) refused to allow the officers to enter the apartment, and a physical struggle ensued. An officer allegedly placed § 87(2)(b) in a chokehold and restricted his breathing (**Allegations A-B: Force**, § 87(2)(g)). PO Lovera allegedly struck § 87(2)(b) in the side with his shoulder, and Sgt. Powers, PO Bellevue, PO Sferrazza, and PO Lovera took § 87(2)(b) to the ground (**Allegations C-F: Force**, § 87(2)(g)). An officer allegedly restricted § 87(2)(b) breathing by pressing a knee into his back (**Allegation G: Force**, § 87(2)(g)). Sgt. Powers and the other officers entered the apartment (**Allegation H: Abuse of Authority**, § 87(2)(g)). Sgt. Powers and the other officers allegedly performed an extensive search of the apartment (**Allegation I: Abuse of Authority**, § 87(2)(g)). The officers obtained a search warrant, searched the apartment the following day, and recovered two firearms and a quantity of narcotics.

§ 87(2)(b) and § 87(2)(b) were arrested, along with the remaining individuals inside the apartment: § 87(2)(b) and § 87(2)(b) (BR03).

The investigation did not obtain video evidence in this case.

§ 87(2)(b), § 87(2)(g)

Findings and Recommendations

- **Allegation (A) Force: An officer used a chokehold against § 87(2)(b)**
Allegation (B) Force: An officer restricted § 87(2)(b) breathing.

In his initial DiRAD message, § 87(2)(b) did not allege that any officer used a chokehold against him or restricted his breathing (BR04). He recounted that the officers tried to get into his apartment, and that they became upset and began beating him up when he refused to allow them to enter. He could not tell who beat him up, because they threw him down when his back was turned and began “stomping [him] out.”

Similarly, in his conversation with a CCRB intake investigator, § 87(2)(b) did not allege that an officer choked him. He claimed that officers grabbed him, punched him, brought him to the ground, and stepped on him.

In his phone statement, § 87(2)(b) also did not specifically allege that an officer choked him or restricted his breathing (BR05). He did say, however, that an officer put him in a “headlock.” Contrary to his prior statements, § 87(2)(b) denied that any officers struck him with their hands, but he said an officer struck him with a shoulder. He also did not allege that any officer stomped or stepped on him. § 87(2)(b) did not provide any officer descriptions or otherwise identify the officer who put him in a “headlock.”

In his in-person statement, § 87(2)(b) recounted that he turned his back to the officers as he stood in the open doorway to his apartment (BR06). He reached out and grabbed each side of the doorjamb to try to block the officers from entering the apartment. An officer in plainclothes then wrapped an arm around § 87(2)(b) neck and tried to pull § 87(2)(b) backward, such that the officer's forearm was pressed against the front of § 87(2)(b) neck. § 87(2)(b) breathing was partially restricted. § 87(2)(b) did not know which officer put an arm around his neck, and he could not provide any other details to aid in identifying the officer. § 87(2)(b) resisted the officer's attempts to pull him out of the doorway, and he tried to tell § 87(2)(b) to lock the apartment door. § 87(2)(b) specified that he was able to see § 87(2)(b) inside the apartment at the time the officer put him in a chokehold. § 87(2)(b) estimated the officer's arm was pressing against his neck for "a couple of seconds." § 87(2)(b) then decided to stop resisting, and the arm came off his neck as he was brought to the ground.

§ 87(2)(b) also alleged that, during the time an officer was choking him, another officer was striking him with a shoulder on the right side of his ribcage. § 87(2)(b) felt certain that PO Lovera was the officer who struck him in the side, which indicates that PO Lovera cannot be the officer who allegedly choked § 87(2)(b).

§ 87(2)(b) did not provide a detailed phone statement and subsequently stopped responding to contact attempts. In his brief phone statement, § 87(2)(b) confirmed that he could see the struggle between § 87(2)(b) and the officers (BR07). § 87(2)(b) recounted that the officers grabbed § 87(2)(b) and wrestled him to the ground. He mentioned that the officers grabbed § 87(2)(b) "by the neck." However, § 87(2)(b) explained that he meant that the officers grabbed § 87(2)(b) by the back of his neck, in the manner by which a cat carries a kitten in its mouth. He did not recount seeing any officer put an arm around § 87(2)(b) neck.

§ 87(2)(b) similarly provided only a terse, nonspecific phone statement (BR08). She later refused to provide any further statements. It was not clear from § 87(2)(b)'s statement whether she witnessed the beginning of the physical struggle between § 87(2)(b) and the officers. She variously said that she only heard "talking" between § 87(2)(b) and the officers, but also insisted that she saw the officers start hitting § 87(2)(b). She could not describe how the officers brought § 87(2)(b) to the ground. She claimed to have seen three officers punching § 87(2)(b) in the ribs when he was on the ground. She denied seeing any officer choke § 87(2)(b).

The investigation was unable to contact § 87(2)(b) and § 87(2)(b). The investigation successfully contacted § 87(2)(b) landlord, § 87(2)(b) who may have witnessed the incident. However, § 87(2)(b) refused to provide any information to the CCRB.

§ 87(2)(b) made various claims of injury during his statements. In his DiRAD message, he said that he had facial bruising and pain to his neck and shoulder. In his intake statement, he said that he suffered bruising on his head, neck, and shoulder. In his phone statement, he said only that he had back pain. In his in-person statement, he claimed to have sustained bruising and scratches on the front of his neck, along with bruising on his back and on the front of his right knee. He claimed that the bruising on the front of his neck was visible when he was at the stationhouse after the incident. He also claimed that he photographed the bruising, but that the photos were stored on a friend's computer. He never provided any photographic evidence of his injuries to the investigation. § 87(2)(b) arrest photo does not show any apparent bruising or scratches on his neck, but the photo is low-quality and is not focused upon his neck (BR09).

§ 87(2)(b) requested medical attention while at the stationhouse and was brought to § 87(2)(b) Hospital. He did not arrive there until the early morning of August 10. His records show that he reported that officers punched him a few times on the left side of his head and face before throwing him to the ground (See Privileged Documents). § 87(2)(b) also claimed that many officers stomped on his upper back once he was on the ground. He claimed to have pain on the left sides of his head, face, and neck, and pain to his left shoulder and left knee. The records contain no indication that § 87(2)(b) complained that he had been choked.

A physical exam found “very mild” redness about § 87(2)(b) left eye, mild tenderness of the left side of his head, small superficial abrasions on the left side of his face, mild tenderness of the left side of his neck, mild tenderness of the back of his left shoulder, and “very mild” tenderness of the left knee. CAT scans of his head, face, and neck, along with an X-ray of his left shoulder, showed no injuries. He was diagnosed with bruising and discharged with Ibuprofen.

All the officers denied that anyone choked § 87(2)(b) in the manner alleged. The details of their testimonies will be addressed in the section addressing Allegations C-F. The officers’ testimonies did not aid the investigation in identifying the subject officer.

§ 87(2)(b), § 87(2)(g)

- **Allegation (C) Force: Sergeant Erik Powers used physical force against § 87(2)(b)**
Allegation (D) Force: Police Officer Job Bellevue used physical force against § 87(2)(b)
Allegation (E) Force: Police Officer Joseph Sferrazza used physical force against § 87(2)(b)

Allegation (F) Force: Police Officer Abel Lovera used physical force against § 87(2)(b)

It is undisputed that § 87(2)(b) and § 87(2)(b) had a loud and extended argument inside the apartment before the incident, and that § 87(2)(b) eventually called 911 to report that a woman in the apartment was screaming, “He got a knife! He got a knife!” (BR10). Although § 87(2)(b) denied that the subject of a knife was ever raised during his argument with § 87(2)(b), § 87(2)(b) recounted that § 87(2)(b) screamed during the argument, “Put your knife down!” It is also undisputed that § 87(2)(b) physically tried to prevent the officers from entering the apartment, and that the officers used force to bring § 87(2)(b) to the ground.

As previously noted, § 87(2)(b) made varying force allegations in his statements. Although he claimed at times that officers punched him and stomped on him, in his in-person statement § 87(2)(b) alleged only that an officer “rammed” him with a shoulder in his right ribcage. At the time, § 87(2)(b) was resisting officers’ efforts to remove him from the doorway of the apartment. § 87(2)(b) denied that he ever struck any officer. § 87(2)(b) also denied that he and § 87(2)(b) were still arguing when they exited the apartment, and he denied that he pushed her out of the apartment.

§ 87(2)(b) initially recounted merely that he and § 87(2)(b) explained to the officers that she was leaving, that the officers instructed them to go back inside the apartment, and that an officer grabbed him and took him to the ground when he protested. He later recounted that he argued with the officers for a much longer period of time before the officers used force.

§ 87(2)(b) did not claim to have suffered any injuries as a result of being “rammed” in the side. As previously noted, his medical records show that he claimed that officers punched the left side of his head and face and stomped on his back. A physical exam found mild injuries about the left side of his face and neck, the back of his left shoulder, and his left knee.

As previously noted, § 87(2)(b) could not describe how officers took § 87(2)(b) to the ground, and it was not clear if she actually witnessed the beginning of the physical struggle. § 87(2)(b) said only that officers wrestled § 87(2)(b) to the ground.

The officers’ statements differed greatly with regard to the nature of the physical struggle with § 87(2)(b). It should be noted that the officers were not interviewed until between nine and twelve months after the incident.

Sgt. Powers claimed that § 87(2)(b) apartment door was closed when he arrived, that he and PO Bellevue knocked on the door, and that he could hear screaming and arguing coming from inside the apartment (BR11). The apartment door was opened from the inside, at which point Sgt. Powers saw § 87(2)(b) and § 87(2)(b) physically fighting inside the apartment. § 87(2)(b) was holding onto § 87(2)(b) who was trying to escape his grasp. Sgt. Powers entered the apartment to stop § 87(2)(b) and § 87(2)(b) from fighting, and he physically separated them. Officers brought § 87(2)(b) outside the apartment, while Sgt. Powers and other officers tried to speak to § 87(2)(b). Almost immediately, § 87(2)(b) attempted to punch an officer. Sgt. Powers could not recall which officer § 87(2)(b) attempted to punch, and could not recall if § 87(2)(b) successfully punched the officer. At that point, Sgt. Powers considered § 87(2)(b) under arrest, and he and other officers pulled § 87(2)(b) to the ground. § 87(2)(b) resisted by flailing his arms, holding his arms tight to his body once officers grabbed them, and holding his arms beneath his body once he was on the ground. Sgt. Powers denied that any officer struck § 87(2)(b).

PO Bellevue, who was partnered with Sgt. Powers, gave a significantly different account (BR12). He claimed that he and Sgt. Powers saw § 87(2)(b) push § 87(2)(b) out of his apartment when they first entered the building. § 87(2)(b) was standing on or near the threshold of his apartment, and the apartment door was open. PO Bellevue and Sgt. Powers approached the apartment door, but neither grabbed § 87(2)(b) or § 87(2)(b) at that time. PO Bellevue believed that a few minutes passed between his arrival and the beginning of the officers’ physical struggle with § 87(2)(b). He could not provide a detailed account of what took place during that time, but he recalled generally that § 87(2)(b) immediately began yelling and cursing at the officers, and that § 87(2)(b) told the officers that they could not enter the apartment.

PO Bellevue claimed that § 87(2)(b) initiated the struggle by pushing officers. He denied that any officer grabbed or otherwise physically interacted with § 87(2)(b) before § 87(2)(b) started pushing. PO Bellevue also claimed that § 87(2)(b) kicked and attempted to punch officers, but he could not recall which officer or officers § 87(2)(b) pushed, kicked, or attempted to punch. However, the Criminal Court Complaint Supporting Deposition, which PO Bellevue signed, indicates that § 87(2)(b) pushed him several times (BR13). When presented with the Complaint, PO Bellevue said that he was in the general area when § 87(2)(b) was throwing punches, but that no punch ever connected with him. The arrest report narrative merely states that § 87(2)(b) presented “hostile resistance and aggression,” and that he was arrested due to his “hostile and fighting behavior” (BR03).

PO Bellevue and other officers, including Sgt. Powers and PO Lovera, tried to grab § 87(2)(b) to cuff him. The struggle moved inside the apartment, and the officers brought § 87(2)(b)

to the ground inside. PO Bellevue claimed that he and other officers fell to the ground with § 87(2)(b) inside the apartment.

PO Lovera recounted that, when he first entered the building, § 87(2)(b) was crying in the hallway outside the apartment and § 87(2)(b) was standing in the open apartment doorway (BR14). He denied that § 87(2)(b) and § 87(2)(b) were touching each other, or even speaking to each other, at that time. PO Lovera first spoke to § 87(2)(b) who said she had been arguing with § 87(2)(b). PO Lovera then approached § 87(2)(b) in the doorway, along with Sgt. Powers and PO Sferrazza. Sgt. Powers attempted to get information from § 87(2)(b) and told him that the officers needed to check inside the apartment to determine if anyone was injured. § 87(2)(b) refused to allow the officers to enter. Within one minute, Sgt. Powers and PO Lovera tried to enter the apartment, and § 87(2)(b) tried to push them away and to close the door. PO Lovera did not see § 87(2)(b) attempt to punch any officer. Within seconds, PO Lovera grabbed § 87(2)(b) on his upper body, pulled him out of the doorway, and passed him backward to PO Sferrazza. PO Sferrazza immediately brought § 87(2)(b) to the ground and cuffed him.

PO Sferrazza recounted that § 87(2)(b) and § 87(2)(b) were arguing, but not physically fighting, when he entered the building (BR15). He recalled that officers separated § 87(2)(b) and § 87(2)(b) and that § 87(2)(b) then tried to shut the apartment door. He did not recall any officers speaking to § 87(2)(b) before § 87(2)(b) tried to shut the door. The officers tried to explain to § 87(2)(b) that they wanted to enter the apartment to ensure that no one was injured, but § 87(2)(b) raised his voice and told the officers they could not enter. PO Sferrazza did not recall § 87(2)(b) ever attempting to strike any officer. He could not recall if § 87(2)(b) ever shoved his arms out and pushed any officer. Officers eventually pulled § 87(2)(b) out of the doorway and toward PO Sferrazza. PO Sferrazza grabbed § 87(2)(b) and brought him to the ground. He brought § 87(2)(b) to the ground because § 87(2)(b) aggressively refused to allow the officers to enter the apartment, attempted to shut the door, and was generally noncompliant.

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

- **Allegation (G) Force: An officer restricted § 87(2)(b) breathing.**

§ 87(2)(b) recounted that he stopped resisting and put his hands behind his back when the officers brought him to the ground on his stomach. He felt knees pressing into his legs and his lower back. The pressure on his back made it difficult to breathe, though his breathing was never fully restricted. He felt “kind of dizzy.” He was handcuffed and brought to a standing position after a short amount of time. He could neither see nor describe the officer who put pressure on his lower back. He claimed that a uniformed officer handcuffed him.

§ 87(2)(b) and § 87(2)(b)'s statements did not aid the investigation in identifying the subject officer.

PO Sferrazza, who admitted to being the officer who handcuffed § 87(2)(b) denied that pressed a knee into § 87(2)(b) back. The other officers did not admit to committing or seeing the alleged behavior.

§ 87(2)(g)

- **Allegation (H) Abuse of Authority: Sergeant Erik Powers entered § 87(2)(b) § 87(2)(b) in Brooklyn.**

- **Allegation (I) Abuse of Authority: Sergeant Erik Powers searched § 87(2)(b) § 87(2)(b) in Brooklyn.**

It is undisputed that § 87(2)(b) called 911, provided his name and phone number, and reported that a woman in § 87(2)(b) apartment was screaming, “He got a knife! He got a knife!” It is also undisputed that Sgt. Powers entered the apartment along with other members of the Anticrime team which he supervised. § 87(2)(g). It is undisputed that the Anticrime team moved throughout the apartment, § 87(2)(g). It is also undisputed that the officers obtained a search warrant for the apartment, executed the warrant the following day, and vouchered two handguns, ammunition, crack cocaine, and marijuana (BR16; BR17).

§ 87(2)(b) did not see what the officers did inside the apartment, as he had already been escorted outside the building by uniformed officers. He recounted that, when he later spoke to § 87(2)(b) and § 87(2)(b) at the stationhouse, they told him that they had seen that the mattress in his bedroom was flipped and that there was clothing on the floor.

§ 87(2)(b) admitted that there was a small amount of marijuana in his bedroom, and that the other occupants of the apartment were smoking marijuana in the living room at the time of the incident. He denied that there was any cocaine in his bedroom. § 87(2)(b) specified that he tried to stop the officers from entering the apartment because he knew the other occupants were smoking marijuana inside.

§ 87(2)(b) recounted that the plainclothes officers walked throughout the apartment asking, “Where the knife at?” She could not provide specific descriptions of what the officers did inside the apartment, except that they were flipping mattresses and “taking shit out” of closets. She claimed that the officers searched for about 20 minutes before they said they found something and handcuffed the occupants of the apartment. § 87(2)(b) similarly recounted that the officers kicked open doors, flipped things over, and knocked things to the ground, but he did not further describe the actions they took after entering the apartment.

§ 87(2)(g)

As previously noted, Sgt. Powers claimed that he entered the apartment because he saw § 87(2)(b) and § 87(2)(b) physically fighting inside. He wanted to stop the two from fighting, and he described the entry as having taken place during “exigent circumstances.” After officers handcuffed § 87(2)(b) Sgt. Powers moved farther into the apartment because he wanted to determine whether there were any injured individuals inside. He could see that there were at least three more people inside the apartment. As he moved through the apartment, Sgt. Powers observed crack cocaine and marijuana in plain view atop a dresser in a bedroom. He denied that he performed any further search of the apartment, and explained that he “froze” the location so a search warrant could be obtained. Sgt. Powers recalled that he questioned the remaining occupants about what had taken place between § 87(2)(b) and § 87(2)(b) and that he asked if either of them had brandished a knife during their dispute. He could not recall how the remaining occupants responded, nor could he recall if he questioned them about the location of any such knife. He denied taking any further steps to locate the knife mentioned in the 911 call.

PO Bellevue recounted that he could hear voices emanating from inside the apartment when he stood at the threshold. Due to the indication in the 911 call that there was a dispute with a knife, and to his observation that § 87(2)(b) and § 87(2)(b) appeared to have been involved in some type of domestic dispute, PO Bellevue wanted to find out if there were any injured individuals inside the apartment. As previously recounted, PO Bellevue claimed to have been unable to obtain any information from § 87(2)(b) and § 87(2)(b) before the physical struggle with § 87(2)(b) began, and he recounted that the officers moved beyond the threshold of the apartment during the course of their struggle with § 87(2)(b). According to PO Bellevue’s recollection and the arrest report, officers found a small blade akin to a boxcutter on § 87(2)(b) person once he was handcuffed.

PO Bellevue moved farther into the apartment to search for any injured individuals. He also smelled marijuana at this point. He recounted making the same plain view observation of narcotics as described by Sgt. Powers. When PO Bellevue reached the living room, he found the remaining occupants smoking a blunt. The occupants seemed nonchalant and were clearly unhurt. PO Bellevue denied that he performed any further search inside the apartment.

PO Lovera similarly recounted that he wanted to enter the apartment to determine if anyone was injured inside the apartment. He was concerned that someone could have been “lying down stabbed or something.” He also recalled seeing marijuana smoke emanating from the apartment. He similarly recounted seeing crack cocaine and other paraphernalia in plain view in a bedroom, and denied performing any search of the apartment beyond simply walking throughout it in search of any injured individuals. He denied that he questioned any of the remaining occupants about the location of a knife.

PO Sferrazza’s account was largely similar to that of PO Lovera. He recalled that the officers specifically attempted to explain to § 87(2)(b) before the physical struggle, that they wanted to enter the apartment to make sure that no one was injured inside. PO Sferrazza himself entered the apartment to determine if anyone inside was injured.

Officers may make a warrantless entry of a residence in order to address an emergency, provided the three elements of the “emergency doctrine” are satisfied. First, the officers must have reasonable grounds to believe that there is an emergency at hand and an immediate need for their assistance for the protection of life or property. Second, any search the officers conduct must not be primarily motivated by the intent to arrest or to seize evidence. Third, there must be some

reasonable basis, approximating probable cause, to associate the emergency with the area or place to be searched. People v. Dallas, 8 N.Y.3d 890 (2007) (BR18).

In People v. Robinson, the court found that officers were justified in entering a premise to investigate a radio report of a fight or dispute therein possibly involving guns and drugs, and that the officers acted reasonably in conducting a sweep of the premises to ascertain whether there were any injured or armed persons therein. People v. Robinson, 225 A.D.2d 399 (1st Dept. 1996) (BR19).

§ 87(2)(b), § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) and § 87(2)(b) have been party (BR20).
- Sgt. Erek Powers has been a member of the NYPD for 11 years and has been a subject in 17 cases and 41 allegations, of which five were substantiated. One of these cases, comprising two allegations, are still under investigation:
 - Case #201407556 involved a substantiated allegation of entry and search against Sgt. Powers. The Board recommended Charges, but Sgt. Powers was found not guilty so the NYPD imposed no penalty.
 - Case #201606619 involved substantiated allegations of entry and search and authorizing the issuance of a summons against Sgt. Powers. The Board recommended a Command Discipline “A,” and the NYPD imposed a Command Discipline “A.”
 - Case #201608616 involved a substantiated allegation of threat of force against Sgt. Powers. The Board recommended a Command Discipline “A,” but the NYPD imposed no penalty due to the expiration of the statute of limitations.

- Case #201707372 involved a substantiated allegation of discourtesy against Sgt. Powers. The Board recommended Command-Level Instructions, and the NYPD has not yet imposed discipline.
- PO Job Bellevue has been a member of the NYPD for ten years and has been a subject in 11 cases and 24 allegations, none of which was substantiated. One of these cases, comprising one allegation, is still under investigation.
- PO Abel Lovera has been a member of the NYPD for five years and has been a subject in seven cases and 12 allegations, none of which was substantiated. Three of these cases, comprising five allegations, are still under investigation.
- PO Joseph Sferazza has been a member of the NYPD for seven years and has been a subject in two cases and three allegations, none of which was substantiated. One of these cases, comprising one allegation, is still under investigation.

Mediation, Civil and Criminal Histories

- This complaint was not suitable for mediation.
- § 87(2)(b) filed a Notice of Claim with the City of New York claiming false arrest, malicious prosecution, and deprivation of civil rights, and seeking a “reasonable amount” of compensation (BR21). The NYC Comptroller’s office did not have a record of any other Notices of Claim filed regarding this incident.
- § 87(2)(b) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]).
- § 87(2)(b) [REDACTED]
[REDACTED]
[REDACTED]
- § 87(2)(b) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- According to the Office of Court Administration, § 87(2)(b) and § 87(2)(b) have no history of convictions in New York City.

Squad No.: 5

Investigator: _____	Inv. Daniel Giansante	_____
Signature	Print Title & Name	Date

Squad Leader: _____	_____	_____
Signature	Print Title & Name	Date

Reviewer:

Signature

Print Title & Name

Date